

#71 Election
Hawkins
6-11-02
Before Final - Official

Practitioner's Docket No.: 791_151

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yukihisa TAKEUCHI and Nobuo TAKAHASHI

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Ser. No.: 09/888,048

Art Unit: 2834

JUN 10 2002

Filed: June 22, 2001

Examiner: Budd, Mark O.

TECHNOLOGY CENTER 2800

Confirmation No.: 6969

For: CELL DRIVING TYPE ACTUATOR AND METHOD FOR MANUFACTURING
THE SAMECERTIFICATION OF FACSIMILE
TRANSMISSION

I hereby certify that this paper is being facsimile
transmitted to the Patent and Trademark Office
on June 10, 2002 at (703) 872-9318.

Elizabeth A. VanAntwerp
Elizabeth A. VanAntwerp

Assistant Commissioner for Patents
Washington, D.C. 20231RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed May 28, 2002, applicants hereby
provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-10 and 14) in
this application.

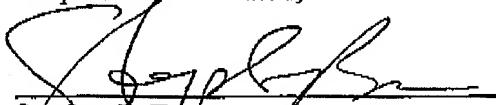
However, applicants respectfully traverse the restriction requirement since the subject
matter of claims 1 - 14 is sufficiently related that a thorough and complete search for the
subject matter of the elected claims would necessarily encompass a thorough and complete
search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that
search and examination of the entire application could be made without serious burden. See
MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire
application can be made without serious burden, the Examiner must examine it on the

merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
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SPB/eav

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